

UNITED STATES DISTRICT COURT

for the
District of South DakotaIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)The property located at [Address Redacted], Pine Ridge, South
Dakota, approximate GPS location: 43.0298077-102.5595262
and to search any curtilage, outbuildings, as well as persons or
vehicles on the property.

Case No. 5:20-mj-128

REDACTED

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

SEE "ATTACHMENT A", which is attached to and incorporated in this Application and Affidavit.

located in the _____ District of South Dakota, there is now concealed (identify the person or describe the property to be seized):

SEE "ATTACHMENTS B, C, AND D", which are attached to and incorporated in this Application and Affidavit.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 U.S.C. §§ 846, 841(a)(1), 844 & 18 U.S.C. §§ 3 and 1153	Conspiracy to Distribute a Controlled Substance; Possession of a Controlled Substance and Accessory after the Fact

The application is based on these facts:

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

FBI SA Erik K. Doell

Printed name and title

Sworn to before me and: [] signed in my presence.

[x] Submitted, attested to and acknowledged by
reliable electronic means.Date: 06/16/2020City and state: Rapid City, SD

Judge's signature

Daneta Wollmann, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

IN THE MATTER OF THE SEARCH OF:
The property located at [REDACTED]
[REDACTED], Pine Ridge, South Dakota,
approximate GPS location: 43.0298077-
102.5595262 and to search any
curtilage, outbuildings, as well as
persons or vehicles on the property.

CASE NUMBER: 5:20-mj-128

**AFFIDAVIT IN SUPPORT OF
SEARCH WARRANT
APPLICATION**

REDACTED

State of South Dakota)
) ss
County of Pennington)

I, Erik K. Doell, Special Agent (SA), Federal Bureau of Investigation (FBI),
after being duly sworn under oath, state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) currently assigned to the Minneapolis Division - Rapid City Resident Agency. I have been employed with the FBI since February 17, 2009. I am currently authorized to investigate matters involving crimes committed within Indian country as defined in 18 U.S.C. § 1151.

2. I am aware that 21 U.S.C. §§ 846, 841(a)(1), and 844 makes it illegal to conspire to distribute a controlled substance or possess a controlled substance. 18 U.S.C. §§ 3 and 1153, provides that “[w]hoever, knowing that an offense against the United States has been committed, receives, relieves, comforts or assists the offender in order to hinder or prevent his apprehension, trial or punishment, is an accessory after the fact.” Id

3. The facts set forth in this affidavit are based on my personal knowledge; knowledge obtained from other individuals, including other law enforcement officers; interviews of persons with knowledge; communications with others who have personal knowledge of the events and circumstances described herein; and information gained through my training and experience. This affidavit contains information necessary to support probable cause for this application and does not contain every material fact that I have learned during the course of this investigation; however, no information known to me that would tend to negate probable cause has been withheld from this affidavit.

ITEMS TO BE SEARCHED FOR AND SEIZED:

4. This affidavit is submitted in support of an application for a search warrant for the property located at [REDACTED], Pine Ridge, South Dakota, approximate GPS location: 43.0298077-102.5595262, further described as a single-wide trailer home, green in color with multiple cars parked out front (referred to hereinafter as SUBJECT PREMISES and photographically depicted in Attachments C&D). Additionally, your affiant seeks the warrant to authorize the search of any vehicles, outbuildings, or detached garages and the curtilage on the property; any persons on the property.

5. The warrant is being obtained in order to search for contraband and evidence, fruits, and instrumentalities of violations of 21 U.S.C. §§ 846, 841(a)(1), and 844 Conspiracy to Distribute a Controlled Substance and Possession (methamphetamine) and 18 U.S.C. §§ 3 and 1153, Accessory after the fact.

PROBABLE CAUSE AND BACKGROUND OF THE INVESTIGATION

6. On January 3, 2020, at 1:23 a.m., your affiant received notification of a homicide occurring at a residence in Pine Ridge, South Dakota. The victim, Casey Weston, a/k/a/ Casey Long, was residing at the residence with his girlfriend, Kehala Thomas – neither were the owner of the home. The shooting occurred at approximately 12:40 a.m. Kayla Eagle Bull, Kehala Thomas, Lynden Bacon and several others were also present at the time of the shooting.

7. Oglala Sioux Tribe Department of Public Safety (OSTDPS) officers responded to the scene and found Kehala Thomas holding Weston. Based on the evidence at the scene, as well as witness statements, Weston was shot through the front door area of the trailer house. Multiple bullet holes were observable in the front door. When OSTDPS officers responded, Weston's body was located to the left side of the door. Law enforcement observed pools of blood near Weston's body. Your affiant also observed shell casings outside of the home matching the caliber of the firearm used to commit the homicide. Your affiant learned from gunshot analysis conducted at the Division of Criminal Investigation (DCI) Laboratory that Weston was shot with a .22 caliber firearm.

8. Weston was officially pronounced dead upon the coroner's arrival. OSTDPS officers removed the occupants from the home and Weston's body was transported to Rapid City for an autopsy. The cause of death was due to a single gunshot wound, which penetrated Weston's lung and aorta.

9. Further investigation yielded information that in the early morning hours of January 3, 2020, Keshia Hayes (resident of the SUBJECT PREMISES) and Dani Jo Brown arrived at the residence (in which Weston was murdered) with Ricky Bagola in Hayes' 2002 green Chevrolet Silverado pickup.

10. Hayes and Brown entered the house and had a verbal argument with Mike Lebeau. According to a witness, Lebeau was not at the house at the time of the shooting, but Hayes and Brown were at the residence looking for him. Hayes and Brown were looking for Lebeau so that Hayes could confront Lebeau about being shorted methamphetamine. According to Hayes and Brown, Lebeau was present at the trailer the morning of the shooting. Despite the girls' efforts, Lebeau refused to provide Hayes/Brown with additional meth and/or cash. Therefore, Hayes and Brown left the house. One witness, Stan Garnier, Jr., was inside the trailer at the time of the shooting and described hearing knocking on the trailer from the outside, shortly after Hayes and Brown left. According to Garnier, Weston approached the door area and was fatally shot, by a shooter outside the residence.

11. In March 2020, Brown was interviewed by your affiant. Brown advised that Bagola exited Hayes' pickup with a firearm after the girls left the house and shot into the house with the firearm. After shooting inside the house, Bagola got back into the pickup and told Hayes to drive. According to Brown, Hayes drove to at least one location where Bagola got out of the pickup for a short time, before getting back inside the pickup. Eventually, the group returned

to the SUBJECT PREMISES and consumed alcohol. The firearm has not been found, despite a search of the SUBJECT PREMISES on January 10, 2020.

12. In a prior search of the SUBJECT PREMISES, your affiant located a small digital scale and methamphetamine residue on the scale. Your affiant did not locate a weapon or ammunition at that time. However, based on information revealed from multiple informants, your affiant believes that a second search of the residence will reveal evidence of methamphetamine and possible guns/ammunition.

Controlled Substance Nexus

13. Source of Information (SOI) "A", whose identity is known to investigating Agents, was interviewed on May 7, 2020, and advised SOI purchased methamphetamine from Hayes at Hayes' residence in the Old IHS Lower Trailer Court. SOI indicated that Hayes and High Wolf source may be Duane Starkey from Rapid City.

14. SOI "B", whose identity is known to investigating Agents, conducted a controlled purchase of methamphetamine at Hayes' residence on March 11, 2020. Rapid City Police Department Lab (RCPD Lab) tested the purchased drug which tested positive for methamphetamine, a schedule II controlled drug or substance.

15. SOI B Attempted to conduct a controlled purchase on March 25, 2020. SOI B was in contact with Ryan Waters and Tyler Waters, in attempts to purchase methamphetamine. The Waters indicated that Daelen was holding

methamphetamine at Hayes' residence, and had five dubs if SOI B wanted to go to Hayes' and buy them. Your affiant is aware that "dubs" is a reference to methamphetamine. Tyler Waters then accompanied SOI B to Hayes' residence. Waters made contact with a male at Hayes' trailer. Waters returned to SOI B's vehicle and advised that the male only had a small amount of methamphetamine left, and didn't want to sell it.

16. On March 12, 2020, SOI "C", whose identity is known to investigating Agents, conducted a controlled purchase of methamphetamine at Hayes' residence in the Old IHS Housing Lower Trailer Court. SOI C met with Hayes and Ben Freeman in Hayes' bedroom at the trailer. Hayes produced two 50s (.5 grams) that Hayes had in a backpack, and sold them to SOI for \$100. Hayes indicated that the 50s were weighed out to be .6 gram each. The purchased methamphetamine evidence was analyzed by the RCPD Lab and determined to be methamphetamine.

17. On March 16, 2020, SOI C advised that SOI C had purchased methamphetamine previously from Hayes and Ben Freeman at Hayes' trailer in the trailer court. SOI C has made approximately 30 purchases of methamphetamine from Hayes and Freeman at this location. Earlier on this date, SOI C had observed Hayes at the residence of Josh Black Feather, a known methamphetamine distributor in Pine Ridge. A controlled purchase was attempted on this date at Hayes' trailer. SOI C was advised by Hayes that she

was waiting for her source of methamphetamine, and would have some in about half an hour.

18. SOI C attempted to conduct a controlled purchase of methamphetamine on March 18, 2020. During this operation, SOI C was advised that Keisha Hayes was not holding as she is waiting for her source of methamphetamine.

19. SOI "D", whose identity is known to investigating Agents, was interviewed on January 21, 2020, and identified Hayes as a methamphetamine dealer who worked for Lebeau. According to SOI D, Hayes primarily distributes 1.75 gram and 3.5 gram quantities.

20. SOI "E", whose identity is known to investigating Agents, was interviewed on May 11, 2020, and advised that SOI E has been purchasing methamphetamine from Hayes and others at Hayes' residence (accurately describing Keisha Hayes' residence trailer in the Old IHS Lower Trailer Court). Over the last 7 months, SOI E has been acquiring methamphetamine from this location, sometimes purchasing 6-7 Dubs (.2 gram quantities) per day. SOI E advised that everyone who is peddling methamphetamine, is getting from Hayes. Daelen High Wolf is usually at Hayes' selling methamphetamine. High Wolf is known to possess a gun. According to SOI E, Mike Goodman and Dale "Scud" Martin, Jr., are also selling methamphetamine at Keisha's.

REQUEST FOR SEALING OF APPLICATION/AFFIDAVIT

21. I request that the Court order that all papers submitted in support of this application, including this affidavit, the application, the warrant, and the Order itself, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to all the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may give targets an opportunity to flee, destroy or tamper with evidence, change patterns of behavior, notify confederates, or otherwise seriously jeopardize the investigation.

CONCLUSION

22. Based on my training and experience, and the facts as set forth in this affidavit, there is probable cause to believe that there exists evidence of a crime, contraband, instrumentalities, and/or fruits of violations of criminal laws as specified herein, are located at the SUBJECT PREMISES, described further in Attachment A. I respectfully request that this Court issue a search warrant for the SUBJECT PREMISES, authorizing the seizure and search of the items described in Attachment B.



Special Agent Erik Doell
Federal Bureau of Investigation

SUBSCRIBED and SWORN via reliable electronic means
this 16th day of June, 2020.



DANETA WOLLMANN
U.S. MAGISTRATE JUDGE

ATTACHMENT A
Property to Be Searched

- The property located at [REDACTED], Pine Ridge, South Dakota, approximate GPS location: 43.0298077-102.5595262, further described as a single-wide trailer home, green in color with multiple cars parked out front (also referred to in the affidavit as SUBJECT PREMISES and photographically depicted in Attachments C and D).
- any vehicles;
- outbuildings or detached garages and the curtilage on the property;
- and any persons on the property

ATTACHMENT B

ITEMS TO BE SEIZED

The following materials, which constitute evidence of the commission of a criminal offense, contraband, the fruits of crime, or property designed or intended for use or which is or has been used as the means of committing a criminal offense, namely violations of 21 U.S.C. §§ 846, 841(a)(1), and 844, conspiracy to distribute a controlled substance, possession of a controlled substance and 18 U.S.C. §§ 3 and 1153, Accessory after the Fact.

ATTACHMENT C



ATTACHMENT D



UNITED STATES DISTRICT COURT

for the
District of South Dakota

In the Matter of the Search of)
(Briefly describe the property to be searched)
or identify the person by name and address)

Case No. 5:20-mj-128

The property located at [Address Redacted], Pine Ridge, South)
Dakota, approximate GPS location: 43.0298077-102.5595262 and)
to search any curtilage, outbuildings, as well as persons or)
vehicles on the property.)

REDACTED**SEARCH AND SEIZURE WARRANT**

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the _____ District of _____ South Dakota
(identify the person or describe the property to be searched and give its location):

See ATTACHMENT A, attached hereto and incorporated by reference.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

Evidence of a crime of Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 844, and 18 U.S.C. §§ 3 and 1153 as described in ATTACHMENTS B, C, and D, attached hereto and incorporated by reference.

I find that the affidavit, or any recorded testimony, establishes probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before June 30, 2020 (not to exceed 14 days)
☒ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Daneta Wollmann
(United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

☐ for _____ days (not to exceed 30) ☐ until, the facts justifying, the later specific date of _____.

Date and time issued: 06/16/2020 1:00 pm


Judge's signature

City and state: Rapid City, SDDaneta Wollmann, U.S. Magistrate Judge

Printed name and title

ReturnCase No.:
5:20-mj-128

Date and time warrant executed:

Copy of warrant and inventory left with:

Inventory made in the presence of :

Inventory of the property taken and name of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

*Executing officer's signature*_____
Printed name and title